

REMARKS

Claims 1-11, 24-25 and 27 have been rejected as obvious over Desmarais (US 5,961,144). Desmarais discloses a circuit that operates both for determining the distance to the occupant (Figure 1) and for activating a horn (Figure 4). The distance to the occupant is determined based upon capacitance. The horn is not activated based upon capacitance, but based upon a resistance which changes when it is deformed (Figure 4; column 8, lines 42-43). Therefore, the capacitance circuit is not activated based upon in the presence of the driver's hand - - otherwise, the airbag would activate whenever the user tried to honk the horn. Therefore, these claims are not obvious over Desmarais.

Claims 12, 15, 17-18 and 21-23 have been rejected as anticipated by Schulz (US 5,880,538). Claim 12 has been amended to recite activation of the vehicle horn. Schulz only discloses automatic activation of the windshield wipers (by detecting rain) and the presence of a hand on the door handle. The circuit for detecting a hand on a door handle ignores slow changes in capacitance so that rain, snow and ice do not activate the circuit. There would not be any rain, ice or snow on the vehicle horn switch. Therefore, there is no motivation to use the circuit of Schulz in a vehicle horn switch.

Claims 14, 19 and 20 have been rejected as obvious over Schulz in view of Desmarais. These claims have been cancelled. However, to the extent this rationale may apply to the amended or new claims, there is no motivation for using the circuit of Schulz in a light control switch or horn switch. Schulz does not disclose using his circuit in any applications other than automatic windshield wipers (which detect rain) and a door handle (to detect a hand but ignore rain). Since there would not be any rain, ice or snow inside the vehicle, there is no motivation or suggestion for using these circuits in user hand-activated switches in the vehicle, like the horn and light.

Claim 26 has been rejected as obvious over Blackburn (US 5,722,686). It is not clear how the

Examiner proposes to modify the Blackburn circuit to achieve the claimed invention or what motivation there would be. The Examiner has not explained his *prima facie* case, making it difficult to respond. Blackburn does not disclose a horn switch activated based upon capacitance. Blackburn states that the horn switch is activated based upon pressure (column 8, lines 3-6), not capacitance. The Examiner's reference to claim 19 of Blackburn refers to a different embodiment, not Figure 5.

If any fees or extensions are due, please charge Deposit Account 50-1482.

Respectfully submitted,

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